#### LOCAL FORM FOR A CHAPTER 13 PLAN UNDER FEDERAL RULE OF BANKRUPTCY PROCEDURE 3015.1 AND **ADMINISTRATIVE ORDER NO. 17-04**

#### UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF MICHIGAN

IN RE:		
•	CASE NO.	
	CHAPTER 13 JUDGE	
Debtor	JODGE	
and	PLAN SUM	IMARY
and	For informational	
	ACP: <b>36</b> Months	
S.S.#	Minimum Plan Length: <b>60</b>	
Joint-Debtor	Plan payment: \$_1,200.00 pe Minimum dividend to Class 9	
Debtor(s)	Percentage of Tax Refunds con	
[X] Original  CHAPTER 13  OR  Pre-Con  I. NOTICES  TO CREDITORS: YOUR RIGHTS MAY BE AFFECTED BY THE	nfirmation Modification #	BE CONFIRMED AND
BECOME BINDING WITHOUT FURTHER NOTICE OR HEARI FILED. READ THIS DOCUMENT CAREFULLY AND CONSIDE	ING UNLESS A TIMELY W	RITTEN OBJECTION IS
Debtors must check one box on each line to state whether or not		
A. Nonstandard Provisions set out in Section IV. Under Federal of Bankruptcy Procedure 3015(c), a "nonstandard provision"		☐ Not included
means a provision that is not otherwise included in the appro-	ved	
form for a Chapter 13 Plan in the Eastern District of Michiga	n.	
B. A limit on the amount of a secured claim based on a valuation the collateral for the claim.	of Included	<b>№</b> Not included
C. Avoidance of a security interest or lien.	☐ Included	<b>✓</b> Not included
IF AN ITEM IS CHECKED AS "NOT INCLUDED" OR IF VOID EVEN IF OTHERWISE INCLUDED IN THE PLAN.		KED, THE PROVISION IS
ANY "NONSTANDARD PROVISION" THAT IS NOT SPE		N SECTION IV IS VOID.
IF THIS SECTION I INDICATES THAT THIS PLAN DOE PROVISIONS", ANY "NONSTANDARD PROVISIONS" IN SPECIFICALLY A LISTED BY SECTION IN A DELYCOD.		
SPECIFICALLY LISTED IN SECTION IV) ARE VOID.		
THIS PLAN IS SUBJECT TO AND INCORPORATES BY REFER WHICH MAY BE FOUND AT <u>WWW.13EDM.COM</u> or <u>WWW.MI</u> UPON WRITTEN REQUEST.		
II. APPLICABLE COMMITMENT PERIOD; PLAN PAYMENT ELIGIBILITY FOR DISCHARGE:	S; PLAN LENGTH; EFFECT	TIVE DATE AND
A. Debtor's Current Monthly Income exceeds the applicable S is 60 months. Debtor's Plan Length shall be 60 months from the		

Debtor's Current Monthly Income is less than or equal to the applicable State median income. Debtor's Applicable Commitment Period is 36 months. Debtor's Plan Length shall be 60 months from the date of entry of the Order Confirming Plan. This is a minimum Plan length. If the Plan has not been completed in the minimum Plan length, the Plan length shall be extended as necessary for completion of the requirements of the Plan; provided that in no event will the Plan term continue beyond 60 months from the date of entry of the Order Confirming Plan. See Paragraph J of the Additional Terms, Conditions and Provisions for additional information regarding Completion of Plan.

If neither or both of the above boxes is checked, then the Applicable Commitment Period and the Plan Length shall be 60 months from the date of entry of the Order Confirming Plan.

- **B.** Debtor's plan payment amount is \$553.85 biweekly.
- C. Future Tax Refunds. See Paragraph A of the Additional Terms, Conditions and Provisions for additional information

	regarding 1 ax Rejunas and 1 ax Returns.
$ch\epsilon$	OR CASES ASSIGNED TO BAY CITY DIVISION: Check only one box. If none are checked or more than one box is exceed, paragraph 2 shall apply:
1.	☐ Debtor's Plan proposes a 100% dividend to unsecured creditors. Therefore, debtor is not required to remit any future Tax Refunds
2.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>does not</i> include a pro-ration for anticipated Tax Refunds. Debtor will remit 50% of all Federal and State Tax Refunds that debtor receives or is entitled to receive after commencement of the case.
3.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>includes</i> a proration for anticipated Federal Tax Refunds. Debtor will remit 100% of all Federal and State Tax Refunds that debtor receives or is entitled to receive after commencement of the case to the extent the Refund exceeds the sum of twelve times the amount of the Federal and State Tax Refund pro-ration shown in Schedule I.
FO	OR CASES ASSIGNED TO DETROIT DIVISION: Check only one box. If none are checked or more than one box is
	ecked, paragraph 2 shall apply:
1.	
2.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>does not</i> include a pro-ration for anticipated Tax Refunds. Debtor will remit 100% of all Federal Tax Refunds that debtor receives or is entitled to receive after commencement of the case.
3.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>includes</i> a proration for anticipated Federal Tax Refunds. Debtor will remit 100% of all Federal Tax Refunds that debtor receives or is entitled to receive after commencement of the case to the extent the Refund exceeds the sum of twelve times the amount of the Federal Tax Refund pro-ration shown in Schedule I.
<b>T</b> 0	
	OR CASES ASSIGNED TO FLINT DIVISION: Check only one box. If none are checked or more than one box is checked, ragraph 2 shall apply:
1.	Debtor's Plan proposes a 100% dividend to unsecured creditors. Therefore, debtor is not required to remit any future tax refunds.
2.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>does not</i> include a pro-ration for anticipated tax refunds. Debtor will remit 100% of all Federal Tax Refunds that Debtor receives or is entitled to receive after commencement of the case.
3.	Debtor's Plan proposes less than a 100% dividend to unsecured creditors and debtor's Schedule I <i>includes</i> a proration for anticipated Federal Tax Refunds. Debtor is not required to remit Federal Tax Refunds in excess of the amount of the proration shown on Schedule I.
	<b>D.</b> If the box to the immediate left is "checked", the debtor acknowledges that debtor <b>is not</b> eligible for a discharge pursuant to 11 USC §1328.
	☐ If the box to the immediate left is "checked", the joint debtor acknowledges that joint debtor <b>is not</b> eligible for a discharge pursuant to 11 USC §1328.
Loca	ll Form 10-24-17 V 1

- E. 

  If the box to the immediate left is "checked", the debtor or joint debtor is self-employed **AND** incurs trade credit in the production of income from such employment. Debtor shall comply with the requirements of Title 11, United States Code, and all applicable Local Bankruptcy Rules regarding operation of the business and duties imposed upon the debtor.
- **III. DESIGNATION AND TREATMENT OF CLASSES OF CLAIMS:** See Paragraph F of the Additional Terms, Conditions and Provisions for additional information regarding the order in which claims are to be paid.
  - **A.** Class One TRUSTEE FEES as determined by statute.
  - B. Class Two ADMINISTRATIVE CLAIMS, INCLUDING ATTORNEYS FEES AND COSTS:
    - 1. PRE-CONFIRMATION ATTORNEY FEES: At confirmation of the Plan, Counsel shall elect to either:
      - a. In lieu of filing a separate fee application pursuant to 11 USC §327 and §330, accept the sum of \$3,500.00 for services rendered plus \$0.00 for costs advanced by Counsel, for total Attorney Fees and Costs of \$3,500.00 through the Effective Date of the Plan. The total Attorney Fees and Costs less the sum paid to Counsel prior to the commencement of this case as reflected in the Rule 2016(b) Statement leaving a net balance due of \$3,5000.00 , will be paid as an Administrative Expense Claim; or
      - b. Request an award of compensation for services rendered and recovery of costs advanced by filing a separate Application for Compensation for services rendered up through the date of entry of the Order Confirming Plan pursuant to 11 USC §327 and §330. If Counsel elects to file a fee application pursuant to this sub-paragraph, the Trustee shall escrow \$3,500.00 for this purpose. See Paragraph B of the Additional Terms, Conditions and Provisions for additional information.
    - **2. POST-CONFIRMATION ATTORNEY FEES:** See Paragraph D of the Additional Terms, Conditions and Provisions for additional information.
    - **3. RETENTION OF OTHER PROFESSIONALS FOR POST-PETITION SERVICES:** Debtor ☐ has retained or ☐ intends to retain the services of (name of person to be retained) as (capacity or purpose for retention) to perform professional services post-petition with fees and expenses of the professional to be paid as an Administrative Expense. See Paragraph C of the Additional Terms, Conditions and Provisions for additional information.
    - **4. OTHER ADMINISTRATIVE EXPENSE CLAIMS:** Any administrative expense claims approved by Order of Court pursuant to 11 USC §503 shall be paid as a Class Two administrative claim. *See Paragraph E of the Additional Terms, Conditions and Provisions for additional information.*
  - C. CLASS THREE SECURED CLAIMS TO BE STRIPPED OR AVOIDED FROM THE COLLATERAL AND TREATED AS UNSECURED CLAIMS TO BE PAID BY TRUSTEE. See Paragraph G and Paragraph N of the Additional Terms, Conditions and Provisions for additional information.

Class 3.1 Liens to be Stripped. 11 USC §506(a).

Creditor	<u>Collateral</u>				
None					
Class 3.2 Judicial Liens and Non-Possessory, Non-Purchase Money Liens to be Avoided. 11 USC §522(f).					

<u>Creditor</u>	<u>Collateral</u>
-NONE-	

- D. CLASS FOUR SECURED CLAIMS ON WHICH THE LAST CONTRACTUAL PAYMENT IS DUE BEYOND THE LENGTH OF THE PLAN. 11 USC §1322(b)(5).
  - Class 4.1 Continuing Payments on a claim secured by the debtor's principal residence that come due on and after the date of the Order for Relief. (See Paragraph P, Paragraph L and Paragraph EE of the Additional Terms, Conditions and Provisions for additional information).

Creditor	<u>Collateral</u>	Monthly Payment	Direct or Via Trustee
Carrington Mortgage Services LLC	2549 Martin Drive Adrian, MI 49221 Lenawee County	819.00	Trustee

Class 4.2 Pre-Petition Arrearages on a claim secured by the debtor's principal residence to be paid by Trustee: Those amounts which were due as of the filing of the Order for Relief:

Creditor	<u>Collateral</u>	Arrears Amount	Estimated Average  Monthly Payment	Months to Cure From Confirmation Date
Carrington Mortgage Services LLC	2549 Martin Drive Adrian, MI 49221 Lenawee County	2,000.00	153.85	13

Class 4.3 Continuing Payments other than on a claim secured by the debtor's principal residence that come due on and after the date of the Order for Relief. (See Paragraph P, Paragraph L and Paragraph EE of the Additional Terms, Conditions and Provisions for additional information).

Creditor	Collateral	Monthly Payment	Direct or Via Trustee
-NONE-			

### Class 4.4 Pre-Petition Arrearages other than on a claim secured by the debtor's principal residence to be paid by Trustee: Those amounts which were due as of the filing of the Order for Relief:

Creditor	<u>Collateral</u>	Arrears Amount	Estimated Average  Monthly Payment	Months to Cure From Confirmation Date
-NONE-				

# E. CLASS FIVE - SECURED CLAIMS ON WHICH THE LAST PAYMENT WILL BECOME DUE WITHIN THE PLAN DURATION. (See Paragraph H, Paragraph L, Paragraph O, and Paragraph S of the Additional Terms, Conditions and Provisions for additional information).

### Class 5.1. Secured Claims not excluded from 11 USC §506 to be paid Equal Monthly Payments. 11 USC §1325(a)(5)(B):

Creditor/Collateral	Indicate if "crammed" *** or modified	Interest rate (Present Value Rate)	Total to be paid Including Interest	Monthly Payment	Direct or Via Trustee
Prestige Financial/13 Dodge Charger 74000 miles Location: 2549 Martin Drive, Adrian MI 49221		0.00%	0.00	437.00	Direct

<sup>\*\*\*</sup> See debtor's Schedule A/B for more information about values.

### Class 5.2. Secured Claims not excluded from 11 USC §506 *not* to be paid Equal Monthly Payments. 11 USC §1325(a)(5)(B):

Creditor/Collateral	Indicate if "crammed"***or modified	Interest rate (Present Value Rate)	Total to be paid including interest	Estimated Average Monthly Payment	Direct or Via Trustee
-NONE-/					

<sup>\*\*\*</sup> See debtor's Schedule A/B for more information about values.

# Class 5.3. Secured claims excluded from 11 USC §506 by the "hanging paragraph" at the end of 11 USC §1325(a)(9) to be paid "Equal Monthly Payments". 11 USC §1325(a)(5)(B).

Creditor/Collateral	Indicate if "modified	Interest rate (Present Value Rate)	Total to be paid Including interest	Monthly Payment	Direct or Via Trustee
-NONE-/					

## Class 5.4. Secured claims excluded from 11 USC §506 by the "hanging paragraph" at the end of 11 USC §1325(a)(9) *not* to be paid Equal Monthly Payments. 11 USC §1325(a)(5)(B).

	Indicate if "modified	Interest rate (Present	Total to be paid	Estimated Average Monthly_	
Creditor/Collateral		Value Rate)	<u>Including interest</u>	Payment	Direct or Via Trustee

Creditor/Collateral	Indicate if "modified	Interest rate (Present Value Rate)	Total to be paid Including interest	Estimated Average Monthly_ Payment	Direct or Via Trustee
Progressive Leasing/Couch and love seat. Location: 2549 Martin Drive, Adrian MI 49221	Modified	7.00%	208.24	16.02	Trustee

**Class 5.5. Surrender of collateral.** (See Paragraph P of the Additional Terms, Conditions and Provisions for additional information).

The debtor(s) surrenders debtor's interest in the following collateral. Any allowed unsecured claim remaining after disposition of the collateral will be treated as a Class 9 General Unsecured Creditor.

Creditor Name	Description of Collateral
-NONE-	

F. CLASS SIX – EXECUTORY CONTRACTS AND/OR UNEXPIRED LEASES. 11 USC §§365, 1322(b)(7): Debtor assumes the executory contracts and unexpired leases listed in subparagraph 1. (See Paragraph K of the Additional Terms, Conditions and Provisions for additional information).

#### **Class 6.1. Continuing Lease/Contract Payments:**

Creditor	<u>Property</u>	Monthly Payment	Lease/Contract expiration date	Direct or Via Trustee
-NONE-				

#### Class 6.2. Pre-petition Arrearages on Assumed Executory Contracts and Leases (to be paid by Trustee):

Creditor	<u>Creditor</u> <u>Property</u>		Estimated Average  Monthly Payment	Months to Cure From Confirmation Date
-NONE-				

Class 6.3. Debtor rejects the executory contracts and unexpired leases listed in this subparagraph 3. Any unexpired lease or executory contract that is neither expressly assumed in Class 6.1 above or expressly rejected below shall be deemed rejected as of the date of confirmation of debtor's chapter 13 plan to the same extent as if that unexpired lease or executory contract was listed below. (See Paragraph K of the Additional Terms, Conditions and Provisions for additional information):

Creditor	<u>Property</u>
-NONE-	

G. CLASS SEVEN - PRIORITY UNSECURED CLAIMS. 11 USC §§507, 1322(a)(2).

## Class 7.1. Domestic Support Obligations: Continuing Payments that come due on and after the date of the Order for Relief:

Creditor	Monthly Payment	Direct or Via Trustee
-NONE-		

#### Class 7.2. Domestic Support Obligations: Pre-Petition Arrearages due as of the filing of the Order for Relief:

Creditor	Arrears Amount	Estimated Average Monthly Payment	Direct or Via Trustee
-NONE-			

#### Class 7.3. All Other Priority Unsecured Claims [11 U.S.C. §1322(a)(2)]

<u>Creditor</u>	Amount	Direct or Via Trustee
Internal Revenue Service	7.000.00	Trustee

### **H.** CLASS EIGHT – SEPARATELY CLASSIFIED UNSECURED CLAIMS. 11 USC §1322(b)(1): (*To be paid by Trustee*): (See Paragraph M of the Additional Terms, Conditions and Provisions for additional information):

Creditor	<u>Amount</u>	Interest Rate	Reason for Special Treatment
-NONE-			

	Conditions and Provisions for additional inj	ormation.
¥	that is not less than the Amount Availa Value of Encumbered Property (the "U Amount; or (ii) will continue for the fu greater payment to Class 9 Unsecured (	distribution to creditors holding Class 9 General Unsecured claims in an amount ble in Chapter 7 shown on Attachment 1, Liquidation Analysis and Statement of Insecured Base Amount"). This Plan shall provide either (i) the Unsecured Base Il Plan Length as indicated in Paragraph II.A of this Plan, whichever yields the Creditors. See Attachment 2, Chapter 13 Model Worksheet, Line 8, for the estimated to be available for payment to Class 9 Unsecured Creditors.
	This Plan shall provide a dividend to he	olders of Class 9 General Unsecured Claims equal to 100% of allowed claims.
If ne	ither box is checked or if both boxes are che	ecked, then the plan shall pay the Unsecured Base Amount.
IV. ]		cked", creditors holding claims in Class Seven, Eight and Nine shall receive rate of <u>0.00%</u> per annum as required by 11 USC §1325(a)(4).
Applicati Awardin Confirmi debtor's appropri	ions for compensation for services render g Post-Confirmation Attorney Fees, if deb ng Plan, all unpaid Attorney Fees and cos Plan to complete within 60 months from ate to the parties interested.	OSTS BY SEPARATE APPLICATION: Counsel reserves the right to file red subsequent to Confirmation of this Plan. Upon entry of an Order-tor's Plan will not complete within 60 months of the date of the Order-ts shall be paid by the Trustee only after a Plan modification that allows the date of the Order Confirming Plan is approved with notice as is
following Level 1: 0 Level 2: 0 Level 3: 0 Level 5: 0 Level 6: 0 Level 7: 0	g order to the extent that funds are availal Class 1 Classes 2.1, 2.2 and 2.3; <del>Class 5.1, 5.3 and</del> Classes 5.1, 5.3 and 6.1; <del>Class 2.1 and 2.3</del> Class <del>2.2 and</del> 2.4 Class 4.1 and 4.3 Classes 4.2, 4.4, 5.2, 5.4 and 6.2	
		fore any disbursements are made to any subordinate class. If there are not n the claims in that level shall be paid <i>pro rata</i> .
	R. Sweeney P60941, Attorney for Debtor standard Provisions'' other than those set	(or Debtor if not represented by an attorney), certify that this Plan contains out in Section IV above.
	e R. Sweeney	/s/ Christopher R Owens
	. Sweeney P60941	Christopher R Owens
25140 La	r for Debtor ahser Road, Suite 252-B eld, MI 48033	Debtor
Street Ad	ddress eld, MI 48033-0000	Joint Debtor
-	te and Zip Code	Joint Debtor
	ylaw2005@yahoo.com	
E-Mail A		October 3, 2019
586.909.		Date
Phone N	umber	

### ATTACHMENT 1

### LIQUIDATION ANALYSIS AND STATEMENT OF VALUE OF ENCUMBERED PROPERTY:

TYPE OF PROPERTY	FAIR MARKET VALUE	LIENS	DEBTOR'S SHARE OF EQUITY	EXEMPT AMOUNT	NON-EXEMPT AMOUNT
PERSONAL RESIDENCE					
2549 Martin Drive Adrian, MI 49221 Lenawee County	109,000.00	104,000.00	5,000.00	0.00	5,000.00
PERSONAL RESIDENCE (total)	109,000.00	104,000.00	5,000.00	0.00	5,000.00
REAL ESTATE OTHER THAN PERSONAL RESIDENCE	0.00	0.00	0.00	0.00	0.00
HHG/PERSONAL EFFECTS					
Misc. articles of furniture and appliances. Location: 257 Kirk, Adrian MI 49221	500.00	0.00	500.00	500.00	0.00
Cabinets. Location: 2549 Martin Drive, Adrian MI 49221	1,200.00	90.00	1,110.00	0.00	1,110.00
Couch and love seat. Location: 2549 Martin Drive, Adrian MI 49221	750.00	200.00	550.00	0.00	550.00
HHG/PERSONAL EFFECTS (total)	3,951.00	290.00	3,661.00	2,001.00	1,660.00
JEWELRY	0.00	0.00	0.00	0.00	0.00
CASH/BANK ACCOUNTS	0.00	0.00	0.00	0.00	0.00
VEHICLES					
13 Dodge Charger 74000 miles Location: 2549 Martin Drive, Adrian MI 49221	9,000.00	13,000.00	0.00	0.00	0.00
VEHICLES (total)	9,000.00	13,000.00	0.00	0.00	0.00
OTHER (itemize)					
401k: Voya	70.00	0.00	70.00	70.00	-1,930.00

OTHER (total)	70.00	0.00	70.00	70.00	0.00
Amount available upon liquidation				\$	6,660.00
Less administrative expenses and costs				\$	1,416.00
Less priority claims			\$	7,000.00	
Amount Available	in Chapter 7			<b></b> \$	0.00

#### **ATTACHMENT 2**

#### CHAPTER 13 MODEL WORKSHEET LOCAL BANKRUPTCY RULE 3015-1(B)(2) E.D.M

1.	Proposed length of Plan:	60	_ months		
2.	Initial Plan Payment: \$1,200.00 per month x 60 months = \$72,000.00 (subtotal)				
3.	Additional Payments: \$	per=\$(subtotal)			
4.	Lump sums payments				\$0.00
5.	Total to be paid into Plan (total of lines 2 through 4)				\$72,000.00
6.	Estimated disbursements other than to Class 9 General Unsecured Creditors				
	a. Estimated Trustee Fees \$6,480.00				
	b. Estimated Attorney Fees and costs through confirmation of plan \$6,000.00				
	c. Estimated Attorney Fees and costs post-confirmation through duration of Plan		\$ <b>0.00</b>		
	d. Estimated fees of other Professionals		\$0.00		
	e. Total mortgage and other continuing secured debt payments		\$49,140.00		
	f. Total non-continuing secured debt payments (including interest)		\$208.24		
	g. Total priority claims \$7,000.00		\$7,000.00		
	h. Total arrearage claims \$2,000.00				
7.	Total disbursements other than to Class 9 General Unsecured Creditors (Total of lines 6.a through 6.h)			\$	70,828.24
8.	Funds <i>estimated</i> to be available for Class 9 General Unsecured Creditors (Line 5 minus Line 7)			\$	1,171.76
9.	Estimated dividend to Class 9 General Unsecured Creditors in Chapter 7 proceeding (see Liquidation Analysis on page 6)			\$	0.00